

**From:** Joseph J Wolff  
**To:** Microsoft ATR  
**Date:** 12/20/01 11:04am  
**Subject:** Microsoft Settlement

Hello,

The Microsoft proposed settlement will only serve to make Microsoft a stronger monopolist.

1) 'Giving' software away to underprivileged schools benefits Microsoft far more than it benefits the schools - and in fact giving software away to schools is a proven marketing tactic used by Apple computer 20 years ago to put its business on the map - it is akin to 'planting the seeds' in young users of your operating system or platform - grabbing mindshare at the earliest point, and while the minds are still open and gullible, without the ability to filter propaganda and spin. It also plants the seeds for upgrades - sources put the IT budget of Microsoft-based schools at 30-40% of the total IT budget - hardly something that the underprivileged schools will be able to afford after their first five years of free ride is ended, with the next release after that of MSWindows or MSOffice being (intentionally) "incompatible" with the previous release - a proven tactic to force upgrades.

A better solution is proposed by RedHat Software, here:

[http://www.redhat.com/about/presscenter/2001/press\\_usschools.html](http://www.redhat.com/about/presscenter/2001/press_usschools.html)

This would preserve the future of the software for the schools, and would quintuple the number of systems and schools receiving a benefit.

2) An even more disturbing manipulation contained in the settlement is described here:

<http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

So once again, Microsoft is using the settlement to actually lock in its future - rather than actually be constrained by it.

These clauses will give Microsoft the leverage it needs to prevent distribution of its API documentation to whomever it doesn't want to see them, perpetuating the problem, in precisely the same way it has done in the past - only this time with the force of law!

The clauses also attack the only real competition Microsoft now has - the open-source community, where the products are available for nothing - the only way it has proven possible to compete with Microsoft given its monopolistic practices.

In conclusion, I urge the DOJ to rethink the proposed settlement - I also respectfully submit that the settlement, and the comments from the knowledgeable members of the media and industry experts, indicate clearly that there is a fundamental lack of understanding by the DOJ of the software business and the way Microsoft has competed unfairly and used monopolistic practices to squash competition - and in fact the DOJ in the current settlement is simply another pawn being played by Microsoft to further its own interests.

Respectfully,  
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